

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated April 7, 2006.

Claims 1 and 5-11 are amended. Aside from the limitations relating to the jaw in claim 1, all amendments are for clarification purposes only, and not intended to narrow the scope of the claims. Claims 1-11 are pending.

Claims 1-11 are rejected under 35 U.S.C. §102 as being anticipated by Davison (5,322,055).

Limitations of independent claim 1, which are neither disclosed or suggested in Davison, are reflected in the newly added recitation that the “jaw body is provided at the end portion of the insert portion and is attached to the tip so as to rotate therewith”. As shown in Figs. 1a, 1b, 1c and Fig. 3 of Davison, elongated tube 22 is integral with the clamping jaw 24. As seen in these figures, and as described in the text of this reference, the integral blade 20 is insertable through the elongated tube 22, but there is no indication that the blade 20 and the jaw 24 are coupled for joint rotation. For example, see the specification, beginning at the last column on page 29 and continuing to the next page. These remarks are also applicable to claims 2-4, which are dependent (directly or indirectly) from claim 1.

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As with independent claim 1, independent claim 5 also provides that the jaw body is provided at the end portion of the insert portion and is attached to the tip, so as to rotate therewith. Accordingly, it is respectfully submitted that claims 1-5 are patentable over the Davison reference.

The arguments for patentability mentioned above are also applicable to independent claim 6, which provides for “a seizing portion attached to the jaw so as to rotate therewith”. Claims 7 and 8 are dependent from claim 6.

Similarly, with respect to independent claim 9, this claim recites a probe unit with a proximal end portion removably connected to an ultrasonic vibrator, a handle unit removably coupled with a handling portion, the handle unit having a seizing member detachable from the

handling portion, an ultrasonic operating apparatus main body with which the vibrator unit, the probe unit and the handle unit are removably assembled, a probe unit replacing member, and an operation unit replacing member. Independent claim 9 is thus patentable over Davison.

Dependent claims 10 and 11 include the above referenced limitations of claim 9.

Reconsideration of claims 1-11 under 35 U.S.C. § 102 is respectfully requested in light of the remarks above.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 7, 2006

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August 7, 2006

Date of Signature

Respectfully submitted,



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